UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:	)	CASE NO. 16-63869-PMB
	)	
CARRIE ANN HOBBS	)	CHAPTER 7
	)	
Debtor.	)	
	)	

NOTICE OF HEARING

PLEASE TAKE NOTICE that KYLE A. COOPER, Chapter 7 Trustee (the "Trustee") for the bankruptcy estate of Carrie Ann Hobbs (The "Estate") has filed his **Motion to Sell Real Property Pursuant to 11 U.S.C. §363.**

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on the Motion to Sell Real Property in Courtroom 1202, United States Courthouse, 75 Ted Turner Drive, S.W., Atlanta, Georgia at **3:00 p.m. on April 25, 2017.**

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your views, then you and/or your attorney must attend the hearing. You may also file a written response to the pleading with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least three business days before the hearing. The address of the Clerk's Office is: Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, SW, Atlanta Georgia 30303. You must also mail a copy of your response to the undersigned at the address stated below

Dated: March 22, 2017

/s/Alice A. Blanco
Alice A. Blanco
Georgia Bar No. 062160
Counsel for Trustee

Greene & Cooper, LLP
615 Colonial Park Drive, Suite 104
Roswell, GA 30075
Office: (678) 527-7171
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ablanco@greenecooper.com

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______________________________	)	

MOTION TO SELL REAL PROPERTY OF THE DEBTOR PURSUANT TO 11 U.S.C. §363

COMES NOW, Kyle A. Cooper, Chapter 7 Trustee (the "Trustee") for the bankruptcy estate of Carrie Ann Hobbs. (the "Estate"), by and through his undersigned counsel and respectfully represents:

1.

On August 8, 2016, Debtor, Carrie Ann Hobbs filed a Petition under Chapter 7 of the Bankruptcy Code.

2.

The 31 Meeting of Creditors was held and concluded on September 21, 2016.

3.

The asset available for liquidation by the Trustee is the Debtor's interest in real property located at 2350 Bernard Road, NW, Atlanta, Georgia 30318 (the "Property").

4.

On October 14, 2016, the Court entered an Order employing Karen Faber with Harry Norman Realtors as realtor for the Bankruptcy Estate for the purpose of inspecting, marketing and showing the Property. The Trustee has obtained a sales contract with a purchase price of $300,000 for the property through the services of Karen Faber, the court appointed real estate agent. The contract is subject to this Court’s approval; the contract is also contingent upon lender’s financing.

5.

The prospective buyers, Archaf Ezzaouia and Shelby Watson (the “Purchasers”) have made an earnest money deposit in the amount of three thousand dollars ($3,000.00). Attached hereto as Exhibit “A” is a copy of the sales contract between the Trustee, Kyle A. Cooper, and the purchasers, subject to this Court’s approval.

6.

Upon information and belief, Archaf Ezzaouia and Shelby Watson are disinterested parties.

7.

Pursuant to the proposed Contract, the estate will pay estimated closing costs in the amount of four thousand five-hundred dollars ($4500.00). The closing costs constitute an administrative expense, necessary for the sale of the Property. The Trustee seeks to pay closing costs at closing from the sale proceeds.

8.

Upon information and belief, Everhome Mortgage Company, asserts a first priority lien against the property. Trustee seeks to satisfy the lien at closing.

9..

Upon information and belief, Wells Fargo Home Mortgage asserts a second priority lien against the property. Trustee seeks to satisfy the lien at closing.

10.

The Trustee proposes to pay a six percent (6%) real estate commission. The real estate commission is to be split equally between selling realtor and listing realtor as appropriate.

12.

All remaining funds from the above referenced sale will be used to pay administrative expenses, debtor's exemptions and creditors pursuant to a hearing and order of this Court.

13.

The Trustee believes that the above referenced sale is in the best interest of the estate and will produce funds for a meaningful distribution to creditors.

WHEREFORE, the Trustee respectfully requests:

(a) That this Court authorize the sale of the real property commonly known as 2350 Bernard Road, NW, Atlanta, Georgia 30318 upon the terms and conditions set forth in the attached sales contract (Exhibit A), free and clear of all liens and encumbrances:

(b) That the Court permit the payment of Realtor Commission, closing costs, liens and real estate taxes due at time of closing;

(c) That order and notice issue of the proposed sales pursuant to Bankruptcy Rules 2002 and 6604;

(d) That this Court grant such other and further relief as may be appropriate,

This 22 day of March, 2017

/s/ Alice A. Blanco
Alice A. Blanco
Georgia Bar No. 062160
Counsel for Trustee

Greene & Cooper, LLP
615 Colonial Park Drive, Suite 104
Roswell, GA 30075
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CERTIFICATE OF SERVICE

I, Alice A. Blanco, hereby certify that on March 22, 2017, I have served the foregoing **MOTION TO SELL and NOTICE OF HEARING**, on the person(s) indicated below by placing a copy in the United States mail with sufficient postage affixed thereon.

Carrie Ann Hobbs
2350 Bernard Rd, NW
Atlanta, GA 30318

Kyle A. Cooper
Chapter 7 Trustee
Suite 102
615 Colonial Park Rd.
Roswell, GA 30075

Martin P. Ochs
Office of the U.S. Trustee
362 Richard Russell Bldg.
75 Ted Turner Drive, SW
Atlanta, GA 30303

Karen Faber
7855 North Point Parkway
Suite 100
Alpharetta, GA 30022

I further certify that I have served a copy upon all entities set forth in the creditor matrix, a copy of which is attached hereto.

This the 22nd day of March, 2017.

/s/ Alice A. Blanco
Alice A. Blanco
Georgia Bar No. 062160
Counsel for Trustee

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